

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

JANAK ANARKAT, Individually and on Behalf of All Others Similarly Situated, CVS HEALTH CORPORATION, LARRY J. MERLO, and DAVID M. DENTON,

DEFENDANTS

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Pomerantz, LLP
600 Third Avenue
New York, NY 10016; T: (212) 661-1100

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

15 U.S.C. §§ 78j(b) and 78t(a)) and Rule 10b-5 promulgated thereunder by the SEC (17 C.F.R. § 240.10b-5)

Judge Previously Assigned

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

NATURE OF SUIT

TORTS			ACTIONS UNDER STATUTES		
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/ PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY	[] 625 DRUG RELATED SEIZURE OF PROPERTY	[] 422 APPEAL 28 USC 158	[] 375 FALSE CLAIMS
[] 120 MARINE	[] 315 AIRPLANE PRODUCT LIABILITY	[] 365 PERSONAL INJURY PRODUCT LIABILITY	21 USC 881	[] 423 WITHDRAWAL 28 USC 157	[] 376 QUI TAM
[] 130 MILLER ACT	[] 320 ASSAULT, LIBEL & SLANDER	[] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[] 690 OTHER		[] 400 STATE REAPPORTIONMENT
[] 140 NEGOTIABLE INSTRUMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY				[] 410 ANTITRUST
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 340 MARINE MEDICARE ACT	PERSONAL PROPERTY	[] 820 COPYRIGHTS [] 830 PATENT		[] 430 BANKS & BANKING
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT LIABILITY	[] 370 OTHER FRAUD	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		[] 450 COMMERCE
[] 152 RECOVERY OF DEFANTED STUDENT LOANS (EXCL VETERANS)	[] 350 MOTOR VEHICLE [] 355 MOTOR VEHICLE PRODUCT LIABILITY	[] 371 TRUTH IN LENDING	[] 840 TRADEMARK		[] 460 DEPORTATION
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 360 OTHER PERSONAL INJURY	[] 380 OTHER PERSONAL PROPERTY DAMAGE	LABOR		[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
[] 160 STOCKHOLDERS SUITS	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 385 PROPERTY DAMAGE PRODUCT LIABILITY	[] 710 FAIR LABOR STANDARDS ACT		[] 480 CONSUMER CREDIT
[] 190 OTHER CONTRACT			[] 720 LABOR/MGMT RELATIONS		[] 490 CABLE/SATELLITE TV
[] 195 CONTRACT PRODUCT LIABILITY			[] 740 RAILWAY LABOR ACT		
[] 196 FRANCHISE		ACTIONS UNDER STATUTES	[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)		
	CIVIL RIGHTS	[] 463 ALIEN DETAINEE [] 510 MOTIONS TO VACATE SENTENCE 28 USC 2255	[] 790 OTHER LABOR LITIGATION	FEDERAL TAX SUITS	[] 890 OTHER STATUTORY ACTIONS
		[] 530 HABEAS CORPUS [] 535 DEATH PENALTY [] 540 MANDAMUS & OTHER	[] 791 EMPL RET INC SECURITY ACT (ERISA)	[] 870 TAXES (U.S. Plaintiff or Defendant) [] 871 IRS-THIRD PARTY 26 USC 7609	[] 891 AGRICULTURAL ACTS
REAL PROPERTY	[] 440 OTHER CIVIL RIGHTS (Non-Prisoner)				
[] 210 LAND CONDEMNATION	[] 441 VOTING [] 442 EMPLOYMENT [] 443 HOUSING/ ACCOMMODATIONS	PRISONER CIVIL RIGHTS	IMMIGRATION		[] 893 ENVIRONMENTAL MATTERS
[] 220 FORECLOSURE	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 550 CIVIL RIGHTS [] 555 PRISON CONDITION [] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT	[] 462 NATURALIZATION APPLICATION [] 465 OTHER IMMIGRATION ACTIONS		[] 895 FREEDOM OF INFORMATION ACT
[] 230 RENT LEASE & EJECTMENT					[] 896 ARBITRATION
[] 240 TORTS TO LAND	[] 446 AMERICANS WITH DISABILITIES - OTHER				[] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION
[] 245 TORT PRODUCT LIABILITY					[] 950 CONSTITUTIONALITY OF STATE STATUTES
[] 290 ALL OTHER REAL PROPERTY	[] 448 EDUCATION				

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ OTHER

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IJ-32).

(PLACE AN X IN ONE BOX ONLY)

ORIGIN

- | | | | | | | |
|---|---|--|---|---|---|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from (Specify District) | <input type="checkbox"/> 6 Multidistrict Litigation (Transferred) | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge |
| | | | <input type="checkbox"/> a. all parties represented | | | |
| | | | <input type="checkbox"/> b. At least one party is pro se. | <input type="checkbox"/> 8 Multidistrict Litigation (Direct File) | | |

(PLACE AN X IN ONE BOX ONLY)

BASIS OF JURISDICTION**IF DIVERSITY, INDICATE CITIZENSHIP BELOW.**

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> 1 U.S. PLAINTIFF | <input type="checkbox"/> 2 U.S. DEFENDANT | <input checked="" type="checkbox"/> 3 FEDERAL QUESTION | <input type="checkbox"/> 4 DIVERSITY
(U.S. NOT A PARTY) |
|---|---|--|--|

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] 1	DEF [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [] 5	DEF [] 5
CITIZEN OF ANOTHER STATE	PTF [] 2	DEF [] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	PTF DEF [] 4	FOREIGN NATION	PTF [] 6	DEF [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

JANAK ANARKAT

(Williamson County, TX)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)CVS HEALTH CORPORATION, One CVS Drive, Woonsocket, Rhode Island 02895 (Providence County)
LARRY J. MERLO, and DAVID M. DENTON, c/o CVS HEALTH CORPORATION**DEFENDANT(S) ADDRESS UNKNOWN**

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTANDATE 02/25/2019 SIGNATURE OF ATTORNEY OF RECORD /s/Jeremy A.
RECEIPT # LiebermanADMITTED TO PRACTICE IN THIS DISTRICT
[] NO
 YES (DATE ADMITTED Mo. 01 Yr. 2006)
Attorney Bar Code # JL6130

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)